

Practitioner's Docket No. U 012900-8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application  
of \_\_\_\_\_

Inventor(s) \_\_\_\_\_

for \_\_\_\_\_

Title of invention \_\_\_\_\_

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OR

In re application of: INGRID MARIA PERSCKY DE FABREGA  
Serial No.: 09/754,021 Group No.: 2162  
Filed: JANUARY 3, 2001 Examiner: --  
For: E-COMMERCE DEVELOPMENT INTRANET PORTAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR

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SEP 18 2002

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CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: August 7, 2002

Signature

WILLIAM R. EVANS

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

### IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

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**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

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SIGNATURE OF PRACTITIONER

WILLIAM R. EVANS

(type or print name of practitioner)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: INGRID MARIA PERSCKY DE FABREGA

Serial No.: 09/754,021

Group No.: 2162

Filed: JANUARY 3, 2001

Examiner.: --

For: E-COMMERCE DEVELOPMENT INTRANET PORTAL

Attorney Docket No.: U 012900-8

Assistant Commissioner for Patents

Washington, D.C. 20231

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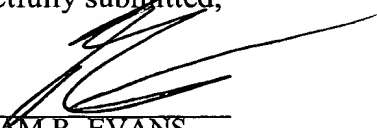
INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application No. PCT/US01/19134 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

We draw the attention of the Examiner to additional references including U.S. cited references 5,949,411; 4,845,636 and 5,812,765 that are considered in the specification.

Form PTO-1449 is also attached with reference copies.

Respectfully submitted,

  
WILLIAM R. EVANS  
LADAS & PARRY  
26 WEST 61<sup>ST</sup> STREET  
NEW YORK, NEW YORK 10023  
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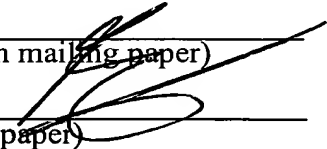
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

William R. Evans  
(Type or print name of person mailing paper)

Date: August 7, 2002

  
(Signature of person mailing paper)

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APPLICANT

Ingrid Perscky de Fabrega

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## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5 9 1 5 2 4 6	6/1999	Patterson et al	705	43	
	AB	5 7 7 4 8 6 9	6/1998	Toader	705	10	
	AC	6 0 8 5 1 7 7	7/2000	Semple et al	705	43	
	AD	5 9 4 9 4 1 1	9/1999	Doerr et al	345	327	
	AE	5 8 2 2 2 1 6	10/1998	Satchell Jr et al	364	479.01	
	AF	6 2 3 3 6 8 2	5/2001	Fritsch	713	168	
	AG	5 7 9 4 2 1 8	8/1998	Jennings et al	705	35	
	AH	5 7 7 4 8 6 8	6/1998	Cragun et al	705	10	
	AI	6 0 3 5 2 8 3	3/2000	Rofrano	705	27	
	AJ	6 0 0 3 0 1 9	12/1999	Eaton et al	705	42	
	AK	5 8 4 5 2 6 7	12/1998	Ronen	705	40	

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	9 7 2 8 5 1 0	8/1997	WO			X	
	AM	9 7 0 5 7 3 3	2/1997	WO				X
	AN	9 8 1 3 7 6 5	4/1998	WO			X	
	AO							
	AP							

## OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5 8 4 5 2 6 1	12/1998	McAbian	705	26	
	AB	6 2 0 5 4 3 3	3/2001	Boesch et al	705	26	
	AC	6 2 4 3 4 5 0	6/2001	Jansen et al	379	144	
	AD	5 9 4 9 4 1 1	9/1999	Doerr et al	345	327	
	AE	4 8 4 5 6 3 6	7/1989	Walker	364	479	
	AF	5 8 1 2 7 6 5	9/1998	Curtis	395	200.3	
	AG	5 9 0 5 2 4 8	5/1999	Russell et al	235	462	
	AH	3 9 5 9 6 0 7	5/1976	Vargo	179	183	
	AI	5 4 5 7 3 0 5	10/1995	Akel et al	235	379	
	AJ	5 4 9 1 8 2 0	2/1996	Belove et al	395	600	
	AK	5 5 7 2 6 4 3	11/1996	Judson	395	793	

## FOREIGN PATENT DOCUMENTS

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5 5 8 7 7 4 0	12/1996	Brennan	348	373	
	AB	5 6 1 7 5 4 0	4/1997	Civanlar et al	395	200.11	
	AC	5 6 2 3 5 8 1	4/1997	Attenberg	395	106	
	AD	5 6 2 5 7 8 1	4/1997	Cline et al	395	335	
	AE	5 6 4 9 1 8 6	7/1997	Ferguson	395	610	
	AF	5 6 7 8 0 4 1	10/1997	Baker et al	395	609	
	AG	5 7 3 7 7 2 9	4/1998	Denman	705	401	
	AH	5 7 4 8 8 8 9	5/1998	Weinblatt et al	395	187.01	
	AI	5 7 6 1 0 7 1	6/1998	Bernstein et al	364	479.07	
	AJ	5 7 8 1 9 0 9	7/1998	Logan et al	707	200	
	AK	5 8 0 5 8 1 5	9/1998	Hill	395	200.48	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	AL							
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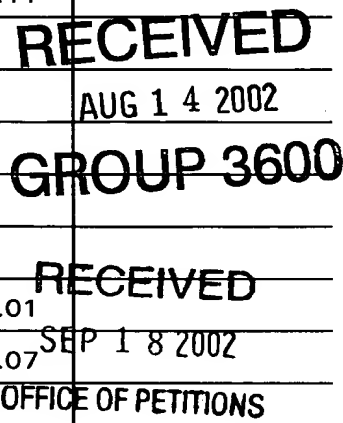
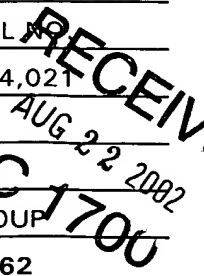
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5 8 1 8 4 4 6	10/1998	Bertram et al	345	334	
	AB	5 8 1 9 2 8 4	10/1998	Farber et al	707	104	
	AC	5 8 2 6 2 6 7	10/1998	McMillan	707	9	
	AD	5 9 8 7 1 4 0	11/1999	Rowney et al	380	49	
	AE	5 9 9 9 5 9 6	12/1999	Walker et al	379	91.01	
	AF	6 0 0 9 4 2 9	12/1999	Greer et al	707	10	
	AG	6 0 1 6 4 8 4	1/2000	Williams et al	705	39	
	AH	6 0 8 5 1 9 5	7/2000	Hoyt et al	707	10	
	AI						
	AJ						
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							YES	NO
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